

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

SHERRIE S.,

No. 6:18-cv-02026-HZ

Plaintiff,

ORDER

v.

COMMISSIONER, SOCIAL  
SECURITY ADMINISTRATION,

Defendant.

HERNÁNDEZ, District Judge:


Plaintiff Sherrie S. brought this action seeking review of the Commissioner's final decision to deny Disability Insurance Benefits. On October 7, 2019, pursuant to the parties' stipulated motion, the Court reversed the Commissioner's decision and ordered that the case be remanded for further administrative proceedings. Order, ECF 14. Judgment was also entered on December 19, 2019. Judgment, ECF 16. Plaintiff's counsel recently received notice of Plaintiff's award for benefits. Pl. Mot. Ex. 1, ECF 20-1.

Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Pl. Mot., ECF 20. Defendant has no objection to the request. *Id.* The Court has reviewed the record in the case, the motion, and the supporting materials including the award of benefits, the fee agreement with counsel, and the recitation of counsel's hours and services. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court finds the requested fees reasonable.

The Court GRANTS Plaintiff's Motion for Approval of Attorney's Fees Pursuant to 42 U.S.C. § 406(b) [20] and awards Plaintiff's counsel \$22,295.12 in attorney's fees. When issuing the section 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to subtract the amount previously received under EAJA (\$5,216.47) and send Plaintiff's attorney the balance of \$17,078.65 less any applicable processing fees as allowed by statute. Any amount withheld after all administrative and court attorney's fees are paid should be released to Plaintiff.

IT IS SO ORDERED.

DATED: June 23, 2021.

  
MARCO A. HERNÁNDEZ  
United States District Judge